

REMARKS

I. Status of the Application.

Claims 1 through 8 were pending in the original application (the "Present Invention"). In a non-final Office Action dated March 5, 2003 (the "Office Action"), the Examiner: (1) objected to the Abstract of the original application; (2) rejected Claims 1, 3, 4, and 5 under 35 U.S.C. § 102(e) as being anticipated by Goto, U.S. Application No. 2001/0001596 (the "Goto reference"); and (3) rejected Claims 2, 6, 7, and 8 under 35 U.S.C. § 103(a) as being obvious over the Goto reference.

In this response, the Applicant: (1) respectfully submits an amended Abstract section; (2) respectfully submits an amendment to Claim 1; (3) respectfully cancels Claim 2; (4) respectfully traverses the rejections of Claims 1, 3, 4, and 5 made under 35 U.S.C. § 102(e); (5) respectfully traverses the rejections of Claims 2, 6, 7, and 8 made under 35 U.S.C. § 103(a); and (6) adds new Claims 9 through 12. Claims 1 and 3 through 8 remain in the application after the amendments. Ample support may be found in the Applicant's specification for the amendments to the Abstract section and Claims 1 and 9 through 12.

II. Rejection of Claims 1 Through 8 Under 35 U.S.C. § 102(e) and 35 U.S.C. § 103(a) Should Be Withdrawn.

A. The Rejection of Claim 1 Under 35 U.S.C. § 102(e) Should Be Withdrawn.

In rejecting Applicant's Claim 1, the Examiner asserted that all of the elements contained therein were anticipated by the Goto reference. With consideration to the amendments made to Applicant's Claim 1 as shown in the Amendments section (II) and Exhibit B hereof, Applicant respectfully submits that the rejection of Claim 1 should be withdrawn, as the claim limitation of a light source holder comprising a hollow tube projecting from the base portion is not mentioned in the Goto reference.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." M.P.E.P. § 2131 (citing Verdegaal Bros. v. Union Oil of California, 814 F.2d 628, 631 (Fed. Cir. 1987)). Claim 1 of the present invention, as amended in the Amendments section hereof, makes reference to a "light source holder, comprising a hollow tube projecting from said base portion, said hollow tube having a first opening and a second opening" As shown in Figure 7 of the Application, the hollow tube creates an opening through the molded component. The electrical connector of the present invention is inserted into the opening from the outside of the molded component. The light source is inserted into the opposite opening of the hollow tube, such that the light source and the electrical connector are electrically coupled inside the hollow tube. The hollow tube is thus useful for the connection of the light source and the electrical connector, such that the light source holder facilitates the connection between the light source and the electrical connector.

In contrast, the Goto reference utilizes: "A bulb 30 arranged by integrally fitting a wedge base bulb body 36 into a bulb socket 32 is fitted into the bulb fitting hole 20 by bayonet engagement" Goto reference, ¶ 0035. "Reference numeral 34 denotes a gasket installed in between a flange portion 33 peripherally fitted to a bulb socket 32 and a peripheral edge portion 21 of the bulb fitting hole." Goto reference, ¶ 0036. As shown in Figure 2 of the Goto reference, the bulb (30) is inserted into a bulb socket (32). The bulb socket (32) and the bulb (30) are thus attached together as a single unit, before insertion into the bulb fitting hole (20). After the bulb (30) and the bulb socket (32) are fitted together, the unit is inserted into the bulb fitting hole (20). A gasket (34) is used to seal the bulb socket (32) against the sides of the bulb fitting hole (20). The housing of the Goto reference is therefore not necessary to facilitate the connection between the bulb and the bulb socket. The bulb and bulb socket are joined together before the assembly of the invention of the Goto reference, and the bulb/bulb socket assembly is then inserted into the invention.

It is respectfully submitted that the Goto reference does not disclose all the elements of the Applicant's invention. For example, the Applicant's element of a light source holder comprising a hollow tube, where "said light source and said electrical connector are in electrical communication through said hollow tube." Accordingly, Applicants respectfully submit that the Examiner has not established a proper basis for rejection of Claim 1 under 35 U.S.C. §102(e), as the Goto reference does not describe every claim limitation of Applicant's Claim 1. Thus, the Applicant respectfully requests that the Examiner's rejection of Claim 1 made under 35 U.S.C. §102(e) be withdrawn.

B. Claim 2 Has Been Cancelled.

The Applicant respectfully cancels Claim 2, which was pending in the original application.

C. Rejection of Claims 3 Through 8 Under 35 U.S.C. § 102(e) and 35 U.S.C. § 103(a) Should Be Withdrawn.

The Examiner has further rejected Claims 3, 4, and 5 under 35 U.S.C. § 102(e), and has rejected Claims 6, 7, and 8 under 35 U.S.C. § 103(a). "Claims in dependent form shall be construed to include all the limitations of the claim incorporated by reference into the dependent claim." 37 C.F.R. § 1.75.

Each of Applicant's Claims 3 through 8 are dependent Claims which depend from independent Claim 1. Applicant respectfully submits that the Remarks section (II)(A) hereof shows that independent Claim 1 is not anticipated by the Goto reference. As a dependent Claim includes all of the limitations of the Claim from which it depends, Applicant respectfully submits that Claims 3 through 8 are therefore also not anticipated by the Goto reference. Accordingly, Applicants respectfully request that the Examiner's rejection of Claims 3, 4, and 5 made under 35 U.S.C. § 102(e), and the Examiner's rejection of Claims 6, 7, and 8 made under 35 U.S.C. § 103(a), be withdrawn.

III. New Claims 9 Through 12 Are Submitted.

Applicant respectfully requests examination of new Claims 9 through 12 by the Examiner. Ample support may be found in the Applicant's specification for the submission of Claims 9 through 12. Additionally, Claims 9 through 12 comprise 1 independent Claim and 2 dependent Claims. Thus, there are 11 pending Claims, and 2 pending independent Claims. An additional fee for additional Claim consideration is not required.

CONCLUSION

For all the foregoing reasons, it is respectfully submitted that the Applicant has made a patentable contribution to the art and that this response places the above identified application in condition for allowance, or in the alternative this response places the application in a better form for appeal. Favorable reconsideration and allowance of this application is respectfully requested. Should the Examiner continue to find any of the Claims objectionable for any reason, the Examiner is respectfully requested to contact the undersigned for a telephone interview before taking further action.

Applicants respectfully submit that the application as amended contains 2 independent claims and 11 total claims. This compares to 1 independent claim and 8 total claims submitted in the original application. Therefore, an additional payment is not required. In the event the Applicant has inadvertently overlooked the need for an extension of time or payment of an

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additional fee, the Applicant conditionally petitions therefor, and authorizes any fee deficiency to be charged to deposit account 09-0007.

Sincerely,

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REF/pgf

Enclosures: Exhibit A – Marked-up Abstract Section
Exhibit B – Marked-up Amended Claim 1 under 37 C.F.R.
§ 1.121(c)(1)(ii)
Return postcard

cc: Mr. Jon Trippeer

Exhibit A – Marked-up Abstract Section

A license plate lamp utilizing an integrally molded component **having** **[comprising]** a base portion, a hollow lens portion, and a light source holder. The light source holder of the molded component is adapted to hold an electrical connector and a light source within the hollow lens portion. The electrical connector provides electrical connection between the light source and the electrical system of the vehicle. The molded component is molded with means to mount the disclosed license lamp to the exterior surface of a vehicle in a manner which allows access to the interior of the disclosed license lamp from inside the trunk of the vehicle.



Exhibit B – Marked-up Amended Claim 1 Under 37 C.F.R. § 1.121(c)(1)(ii)

1. (Amended) A vehicular lamp assembly for illuminating a license plate mounted on a vehicle with a light source electrically connected to an electrical system of the vehicle, wherein the vehicle has an exterior surface with an opening formed there through adjacent a license plate, said assembly comprising:

a molded component comprising (i) a base portion having an opening formed there through, (ii) a lens portion rigidly, integrally molded completely over said opening in said base portion and extending outwardly from said base portion to form a hollow interior portion of said lens portion accessible through said opening in said base portion and (iii) a light source holder integrally molded to said base portion adjacent said opening in said base portion, said light source holder comprising a hollow tube projecting from said base portion, said hollow tube having a first opening at one end of said hollow tube and a second opening at an opposite end of said hollow tube;

an electrical connector, said electrical connector adapted to provide for electrical connection to the light source and electrical connection to the electrical system of the vehicle[;], said electrical connector positioned in said second opening of said hollow tube, said light source holder adapted to hold said electrical connector in said second opening, so that when the light source is held by said [electrical connector] first opening, the light source extends into said hollow portion of said lens portion, and said light source and said electrical connector are in electrical communication through said hollow tube; and

means for retaining said base portion to the exterior surface of the vehicle so that said opening through said base portion overlies the opening through the surface of the vehicle to allow access to the light source from the interior of the vehicle.